

Article - Environment

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§4-419.

(a) Notwithstanding any other provision of law, a person is not liable for costs of containment, cleanup, and removal of the discharge or damages as a result of acts or omissions taken in the course of rendering care, assistance, or advice consistent with this subtitle and the National Contingency Plan, or as otherwise directed by the federal on-scene coordinator or appropriate State official unless:

(1) The person is a person responsible for the discharge in accordance with § 4-401(j) of this subtitle;

(2) The person is a responsible party as defined by the federal Oil Pollution Act of 1990; or

(3) The person is grossly negligent or engages in willful misconduct.

(b) Nothing in subsection (a) of this section shall be construed to affect or limit any cause of action for personal injury or wrongful death arising from an act or omission of a person responding to a discharge.

(c) A responsible party as defined by the federal Oil Pollution Act of 1990 or a person responsible for the discharge as defined in § 4-401(j) of this subtitle is liable for any containment, cleanup, and removal costs or damages that another person is relieved of under this section.

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